

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
O'Malley & Leondires
Serial No.: 10/717,944
Filed: November 20, 2003
For: Audio Conferencing Method

§ CUSTOMER NO. 29855
§ Confirmation No. 9036
§ Docket No.: 199-0237US-C
§ Art Unit: 2645
§ Examiner:
§ Creighton H. Smith

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria VA, 22313-1450

Pursuant to Rule 3.73(b) and Rule 1.321, I, Terril G. Lewis, represent that I am an authorized attorney of record for the above-referenced application and therefore authorized to act on behalf of the assignee. The Assignee of record for the above-referenced application is Polycom, Inc., as evidenced by the assignment recorded at Reel 014420, Frame 0633, who owns a 100% interest in the above-referenced application.

The Assignee hereby agrees that any part of the statutory term of any patent granted on the above-referenced application that extends beyond the expiration date of U.S. Patent No. 6,697,476 (the '476 patent), as measured in accordance with 35 U.S.C. §§ 154-56, 173 and with respect to any terminal disclaimer filed with respect to the '476 patent (the "expiration date of the '476 patent"), is hereby disclaimed, except as provided below. It is agreed that any patent granted on the above-referenced application shall be enforceable only for and during such period that any such granted patent is commonly owned with the '476 patent. It is further agreed that this terminal disclaimer applies to any patent granted on the above-referenced application and is binding upon any grantee and/or its successors or assigns.

However, the Assignee does not disclaim any part of the statutory term of any patent granted on the above-referenced application that extends to the expiration date of the '476 patent, in the event that, before the expiration date of the '476 patent, the '476 patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; has all claims canceled by reexamination certificate; or is reissued in any manner.

Respectfully submitted,

Terrel G. Lewis



Patent Attorney of Record for Applicants

Reg. No. 46,065

Date: 5/31/05